

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

JACQUELINE CHAPMAN

Debtor

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CASE NO. 05-15682

DECISION AND ORDER

At Fort Wayne, Indiana, on April 28, 2006.

The notice of motion and opportunity to object which Wachovia Bank, NA (hereinafter "Movant") served in connection with its motion to approve agreed entry regarding relief from stay and abandonment does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The certificate of service accompanying the notice indicates that additional parties were served by reference to an attached list. No such list was attached.
- b. The notice does not correctly state the name of the motion. N.D. Ind. L.B.R. B-2002-2(c)(2). The request the court acts on is the motion that has been filed, see, Fed. R. Bankr. P. Rule 9013, not the order the court is asked to approve.

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court

